

**Notice of Allowability**

Application No.

10/770,097

Examiner

Ismael Negron

Applicant(s)

PASTRICK ET AL.

Art Unit

2875

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed March 14, 2005.
2. ☒ The allowed claim(s) is/are 1-93.
3. ☒ The drawings filed on 02 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 3/3/04, 3/14/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Amendment***

1. Applicant's amendment filed on March 14, 2005 has been entered. Claims 1, 26, 49 and 72 have been amended. No claim has been cancelled, or added. Claims 1-93 are still pending in this application, with claims 1, 26, 49 and 72 being independent.

### ***Abstract***

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

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2. The abstract of the disclosure is objected to because it exceed 150 words in length (see MPEP § 608.01b), however, the objection to the abstract has been corrected by Examiner's Amendment (see Section 4 of the instant Office Action).

### EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

4. The application has been amended as follows:

#### IN THE ABSTRACT:

A lighted exterior mirror system for a vehicle comprises an exterior mirror assembly having a first portion adapted for mounting to a vehicle and an actuator disposed at a second portion. A reflective element is supported by a reflective element support member ~~that is mounted to an~~ the actuator ~~operable~~ to adjust the rearward field of view of the reflective element ~~when the exterior mirror assembly is mounted to a vehicle. The actuator is disposed at the second portion.~~ The assembly includes a turn signal indicator disposed adjacent to and separate from the reflective element. The turn signal indicator emits a light beam at least generally laterally and rearwardly of the vehicle when the exterior mirror assembly is

mounted to a vehicle and ~~when the turn signal indicator is actuated~~. The turn signal indicator ~~adjusts in~~ **is adjusted** tandem with the reflective element **by the actuator** ~~upon adjustment of the rearward field of view of the reflective element~~. The light beam is substantially unobservable by the driver of the vehicle and does not pass through the reflective element.

***Allowable Subject Matter***

5. Claims 1-93 are allowed.

6. The following is an examiner's statement of reasons for allowance:

Applicant teaches an illuminated exterior mirror system for vehicles, such system including a first portion adapted to be mounted to a vehicle, a second portion having an actuator. A turn signal indicator is disposed adjacent to and separated from a reflective element, however both the turn signal indicator and the reflective element are adjusted in tandem by the actuator. The turn signal indicator emits light generally laterally and rearwardly of the vehicle, such emitted light not passing through the reflective element and being substantially unobservable by the driver.

No prior art was found teaching individually, or suggesting in combination, all of the features of the applicants' invention, specifically the turn signal indicator being disposed adjacent to and separated from a reflective element, with both the turn signal

indicator and the reflective element being adjusted in tandem by the actuator, and light emitted by the turn signal indicator not passing through the reflective element.

CRANDALL (U.S. Pat. 5,436,741) discloses a signal mirror for vehicles, including a support member for supporting both a reflective element and a turn signal indicator, the support member being adjusted by an actuator. Light from the signal indicator pass through a dichroic coating of the reflective element. CRANDALL discloses most of the limitations of the claimed invention, however it fails to disclose, or even suggest, the light from the turn signal indicator not passing through the reflective element.

TASHIRO (U.S. Pat. 5,402,103) and O'FARRELL et al. (U.S. Pat. 5,624,176) disclose signal mirrors for vehicles, including an actuator-adjusted reflective element and a turn signal indicator. The turn signal indicator is disposed adjacent to and separated from a reflective element such that light from the signal indicator does not pass through the reflective element. TASHIRO and O'FARRELL et al. disclose most of the limitations of the claimed invention, however they fails to disclose, or even suggest, the turn signal indicator being adjusted by the actuator in tandem with the reflective element.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


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**Conclusion**

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ismael Negron whose telephone number is (571) 272-2376. The examiner can normally be reached on Monday-Friday from 9:00 A.M. to 6:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra L. O'Shea, can be reached on (571) 272-2378. The facsimile machine number for the Art Group is (703) 872-9306.

9. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications maybe obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, go to <http://pair-direct.uspto.gov>. Should you have questions on access to Private PAIR system, contact the Electronic Business Center (EBC) toll-free at 866-217-9197.

  
Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800

  
Inr

June 7, 2005